

SEALED

UNITED STATES DISTRICT COURT OCT 30 2018

for the  
Northern District of Texas

CLERK, U.S. DISTRICT COURT  
By Deputy

United States of America

v.

Helen Kim (1)  
Daniel Mendoza Jr. (2)

Case No. 3:18-MJ-715 BK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 7 - October 30, 2018 in the county of Northern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. § 1952(a)(3) and 2

Offense Description

Helen Kim and Daniel Mendoza Jr., as principals and aiders and abettors, did use a facility in interstate and foreign commerce with the intent to promote and carry on an unlawful activity, that is a business enterprise involving prostitution in violation of Texas Penal Code Sec. 43.03, and thereafter performed and attempted to perform an act that promoted and established the unlawful activity, in violation of 18 U.S.C. § 1952(a)(3) and 2.

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.

J. Darst 7893  
Complainant's signature

Jay Darst, DPD Detective  
Printed name and title

Sworn to before me and signed in my presence.

Date:

10/30/2018

City and state:

Dallas, Texas

Renee Harris Toliver  
Judge's signature

RENEE HARRIS TOLIVER, U. S. Magistrate Judge  
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Jay Darst, a Detective with the Dallas Police Department (DPD), being duly sworn, depose and state:

1. I am currently employed as a certified peace officer commissioned by the Dallas Police Department. I have been assigned to the Criminal Intelligence Unit since 2010. Prior to my assignment to the Criminal Intelligence Unit, I was assigned to the Narcotics Division for six years. During my time as a Detective in the Criminal Intelligence Unit and Narcotics Division, I have investigated various types of criminal organizations. I hold a Master Peace Officer's license from the Texas Commission on Law Enforcement (TCOLE).

2. I have experience investigating violations of the Texas Health and Safety Code, Texas Penal Code and equivalent federal offenses. These investigations have involved: obtaining and executing search warrants, interviewing and working with confidential informants, the detecting and identifying various narcotics and other dangerous drugs and acting in an undercover capacity. I have participated in both open and covert surveillance including conventional as well as electronic surveillance. I have received training in electronic surveillance, and I have assisted in many operations locating and arresting federal, state and local fugitives. I have received training in and assisted with investigations involving human trafficking, including sex trafficking, and have consulted with, before and during this case, with investigators who focus primarily on investigating human trafficking offenses under state and federal law.

3. I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7); that is, I am an officer of the United States who is authorized by law to conduct investigations and make arrests for offenses enumerated in 18 U.S.C. § 1952 (a)(3), namely Use of Facility of Interstate Commerce in Aid of Racketeering.

4. This affidavit is offered for the limited purposes of supporting a criminal complaint charging **DANIEL MENDOZA JR.** and **HELEN KIM** of Use of Facility of Interstate Commerce in Aid of Racketeering (Prostitution) in violation of 18 U.S.C. §§ 1952 (a)(3) and 2, and therefore does not include all information known to me regarding the investigation.

#### **PROBABLE CAUSE**

5. In or around August of 2018, a Dallas Police Department Confidential Informant (CI) assisted the Dallas Police Department in identifying a source of cocaine, **DANIEL MENDOZA JR.** Dallas Police Department undercover detectives conducted two controlled cocaine purchases from **MENDOZA**. Around that same timeframe, the CI advised me that he learned from **DANIEL MENDOZA JR.** that **MENDOZA**’s mother, **HELEN KIM** operated a prostitution operation in Dallas, Texas. Under the direction of law enforcement, the CI advised **MENDOZA** that he had business clients coming into town and asked if **MENDOZA** could procure at least eighteen girls to engage in commercial sex acts with the CI’s clients. In response, **MENDOZA** told the CI that he could provide as many girls as needed for this purpose.

6. On September 7, 2018, the Affiant organized an operation for a meeting between the CI and **MENDOZA**. The meeting occurred at the Hooters restaurant located at 2201 N Lamar Street in Dallas, Texas, and it was audio and video recorded. The CI picked **MENDOZA** up at work and drove him to Hooters. During this meeting **MENDOZA** agreed to provide the CI with eighteen girls for commercial sex on a later agreed upon date. The CI and **MENDOZA** also discussed the specifics, including the ethnicities of the girls.

7. The CI, at the direction of law enforcement, also had several additional meetings with **MENDOZA**, to further finalize the plans for the delivery of women for commercial sex, that are detailed below. Each of those meetings was recorded.

8. On September 14, 2018, the CI and **MENDOZA** met at the 54<sup>th</sup> Street Drafthouse located at 1850 Market Place Boulevard in Irving, Texas. The CI and **MENDOZA** discussed the likely price **KIM** would charge to provide the girls to the CI for commercial sex purposes. **MENDOZA** asked the CI if his customers were going to want to have sex with the girls more than once, and he stated the girls usually cost between \$250-\$300 in the massage parlors, but there will most likely be an additional fee since the girls will be going to a hotel. **MENDOZA** asked the CI if any of the clients would be wanting cocaine, Cialis, or Viagra. **MENDOZA** also claimed to have seen a picture of one of the girls and she looked like "a little K Pop Asian girl."

9. Then, on September 20, 2018, the CI and **MENDOZA** met again at the 54<sup>th</sup> street Drafthouse located at 1850 Market Place Boulevard in Irving, Texas. **MENDOZA** advised that he should know by that evening how many girls he could get for the CI's

event, but that **MENDOZA** requested twenty girls that would be there for four hours. **MENDOZA** stated that the girls usually make about \$200/hour, but it would probably cost around \$600/hour for each girl because it is offsite and they are such a large group. According to **MENDOZA**, that price includes “doing it more than once.” **MENDOZA** then offered to bring drugs to the event and said he would send pictures of some of the girls. While talking to the CI, **MENDOZA** made a joke about the girls bringing “a douche” to the event so they could clean up. The CI asked **MENDOZA** to have the girls bring condoms to the hotel, and **MENDOZA** agreed.

10. On September 26, 2018, the CI placed a consensually-recorded telephone call to **MENDOZA**. **MENDOZA** stated that his mother, **KIM**, and **KIM**’s friends, would be the source of the supply of the twenty girls, and they have been in this business for over thirty years. According to **MENDOZA**, **KIM** offered to provide a karaoke room for the CI to use instead of a hotel, which would make the price cheaper. According to **MENDOZA**, **KIM** stated that the price would be two thousand dollars (\$2,000) per girl for a total of forty thousand dollars (\$40,000) if the event happened at a hotel.

11. On October 2, 2018, the CI and an undercover Dallas Police Department Detective (UC Detective) met with **MENDOZA** at the 54<sup>th</sup> street Drafthouse located at 1850 Market Place Boulevard in Irving, Texas. The UC Detective was introduced to **MENDOZA** by the CI as a business partner. **MENDOZA** advised the UC Detective and the CI that everything was coming along and proposed the date of October 29<sup>th</sup> for the commercial sex transaction. **MENDOZA** also advised that the UC Detective and the CI need to find a hotel for the clients and the girls. **MENDOZA** again referred to his mother,

**KIM**, as the organizer, stated that **KIM** would need money upfront, and that the cost of twenty girls would be \$2,000 a girl, for a total of \$40,000. **MENDOZA** further stated that **KIM** would want half of the money up front and that **KIM** would want to inspect the hotel before bringing the girls. At the conclusion of the meeting, **MENDOZA** explained that “the way this is set up, it could be considered human trafficking.” Between October 2, 2018, and October 5, 2018, the CI and **MENDOZA** negotiated the upfront payment for **KIM** providing the girls down to \$5,000.

12. On October 5, 2018, the CI went to the Starbucks located at 7979 N MacArthur Boulevard in Irving, Texas to provide the upfront payment to **KIM** and **MENDOZA**. The CI was introduced to **KIM** by **MENDOZA**, and the CI thanked **KIM** for organizing all the girls for the CI’s event with his clients. The CI placed an envelope containing \$5,000 in front of **KIM**. **KIM** left the table to order a drink, and **MENDOZA** and the CI discussed the event and **KIM**. **MENDOZA** explained that **KIM** would get things going for the CI and that **KIM** would probably want more money a couple of days before the event. **MENDOZA** and the CI discussed that **MENDOZA** was acting as a customer service representative for **KIM** in relation to the transaction, and further discussed the CI going to see the girls at one of the massage parlors or spas. **KIM** returned to the table and took possession of the envelope and the CI again thanked **KIM**. **KIM** provided the CI with her cellular phone number, and **KIM** also advised the CI that she would want to see the hotel that would be used for the event so that she would know that it was safe for the girls. The CI, **KIM**, and **MENDOZA** discussed a future trip for the CI to view one of **KIM**’s spas.

13. On October 10, 2018, the CI recorded a call with **KIM**. **KIM** and the CI discussed “seeing some of the girls” before the planned date. The CI referred to the need for his clients to be satisfied, and **KIM** responded by discussing what she could do to make the transaction more convenient for the CI and his clients, including providing pictures of the girls to the CI or allowing the CI and his/her partner to meet some of the girls before the transactions so that they could verify what they look like. **KIM** and the CI discussed texting each other later. **KIM** specifically stated that she would text the CI. Relevant portions of that call—which involved cellular phones, which are facilities of interstate commerce—have been transcribed and are reflected below:

CI: Ones that are actually going to be there on November 1st. And uh is there any way we can meet them? Or just see or say..I don’t need to talk to them I just want to see them.

**KIM**: Okay I want to explain today, okay. It’s okay to see people, but I know it’s gonna be Chip is gonna be there hmmm. I’m just gonna go try to take a picture of them so you know which girl gonna be there okay that’s number 1. I can show there. It’s like yoga, you just want to meet them. It’s like a meeting then I show you when the meeting something. You know it’s their time to work. If I call them out to something or (word not clear) I can say, you can just meet there you know to talk about it or if I don’t know what you want. You wanna like staying with them before the couple then describe that they’re working its like to them. I cannot just call them just for the fee just with somebody. You know what I mean?

CI: Oh okay

**KIM**: That’s how I mention to Danny. So if I know you just want to curious about which kind a girl who’s gonna show up there. I’m gonna take a picture of it paper I know who. So I’m thinking right now picking somebody like a better looking

CI: Danny said you’ve been working very hard so thank you

**KIM**: yeah because it’s a lot of girls right. You know you cannot just show, it’s like a, he said, “no mom, no fat girl or whatever”, yeah you cannot just show anybody

like a woman just be there has to be much look better. That's why I'm picking on it right now.

...

CI: I'll text you later tonight just say so we can have a time and idea. And then we'll take it from there Will that work? For like maybe next week?

**KIM:** That'll give still maybe no I can think it does picture of who's gonna be show up there.

CI: Okay. I would definitely picture. I think Alex and I would love to meet one of the girls. Just to meet them. We don't have to do anything. I just want to meet them and say hi you know something like that.

**KIM:** Either one, either one. Or try meet yeah, try meet. Oh yeah you can just meet them whatever, karaoke place, yeah you can just drink whatever. Another time maybe some girl like you say then I'll let you know.

CI: Okay. Well then do you want me to text you for the schedule then? What time would be a good time to meet them? Because I need to coordinate with Alex as well.

**KIM:** Guess what? I'll have to talk to them first see what time is convenient for them.

CI: Okay we'll just follow up with you and see if you have the time.

**KIM:** Yeah I think its much better so they can because I don't want you know catch their time to be you know..

CI: Okay well hey, thank you so much. Thank you for clarifying that.

**KIM:** You are welcome. Okay bye

14. On October 16, 2018, the CI and the UC Detective met with **KIM** at the Korea House Sushi Bar located at 2598 Royal Lane in Dallas, Texas. The CI and the UC Detective entered the restaurant and met with **KIM** in a private room. The CI introduced the UC Detective to **KIM** as his business partner. **KIM** had three unidentified Asian females at the location to provide company to the CI and the UC Detective. **KIM** advised



the UC Detective and the CI that the event would take place on November 1, 2018, and she would provide the girls from 8:00 P.M. to 12:00 A.M. **KIM** and the UC Detective also discussed pairing the girls up at the hotel with the UC Detective's clients, and again stated that she wanted know what hotel they would be using. **KIM** provided her phone number to the UC Detective and acknowledged that the clients would be having sex with the girls that **KIM** provides. The UC Detective eventually asked one of the unidentified Asian females that was in the room if they would be going to the hotel on the night, and **KIM** responded that all three girls would be attending.

15. On October 24, 2018, the UC Detective met **KIM** at the 54<sup>th</sup> Street Draffhouse located at 1850 Market Place Boulevard in Irving, Texas. **KIM** told the UC Detective that she has arranged for twenty-five girls to attend the event in case some of the girls get sick and back out. **KIM** asked the UC Detective if he would be able to pay for the extra girls if they showed up. **KIM** further stated that the girls would meet at her store at 7:00 P.M. and then they would leave in four cars at 7:30 P.M. to arrive at the hotel at 8:00 P.M. The UC Detective asked **KIM** if his clients would be receiving the "girlfriend experience." The Affiant knows through his training and experience, and in consultation with other investigators of human trafficking, that the "girlfriend experience" in the commercial sex realm refers to sex without a condom, and that kissing is allowed during the commercial sex encounter. **KIM** affirmed that the "girlfriend experience" is included. The UC Detective also asked **KIM** if "Greek" is included. The Affiant knows through his training and experience, and in consultation with other investigators of human trafficking, that "Greek" refers to anal sex. **KIM** responded that it was not, and that "Greek" is what men

do to each other. **KIM** and the UC Detective became involved in a conversation where the word sex was used. **KIM** advised the UC Detective that she did not like to use the word sex and instead wanted to refer to it as “love.” **KIM** insisted to the UC Detective that his clients should not talk about this event and this event needs to remain a secret because if it got out things would be bad for her.


16. The Affiant has assisted in operations outside of this investigation in which this CI provided information to law enforcement. The Affiant has found the CI's information to be true, reliable and credible on these occasions.

### **CONCLUSION**

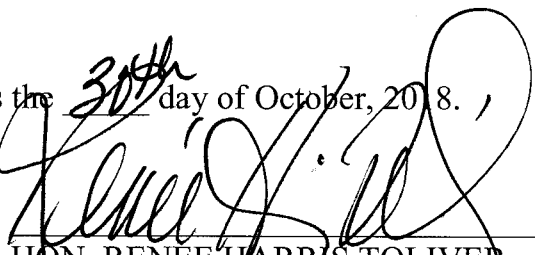
17. Based on the foregoing facts, probable cause exists to believe that beginning on or about September 7, 2018, and continuing through the date of the instant complaint, within the Northern District of Texas – Dallas Division, and elsewhere, **DANIEL MENDOZA** and **HELEN KIM**, as principals and as aiders and abettors, along with others both known and unknown, did use a facility in interstate and foreign commerce, namely cellular phones and others, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on of an unlawful activity, that is a business enterprise involving prostitution in violation of Texas Penal Code

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Sec. 43.03, and thereafter performed and attempted to perform an act that did promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of the unlawful activity, in violation of 18 U.S.C. § 1952(a)(3) and 2.

  
\_\_\_\_\_  
Detective Jay Darst  
Dallas Police Department

Subscribed and sworn to before me on this the 30<sup>th</sup> day of October, 2018.

  
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HON. RENEE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE  
NORTHERN DISTRICT OF TEXAS